

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI
KANSAS CITY DIVISION**

In re:)	
)	
PREMIER GOLF MISSOURI, LLC,)	Case No. 09-44526-11
)	
)	
Debtor.)	

**MOTION TO APPROVE THE SALE OF PROPERTY OTHER THAN IN THE
ORDINARY COURSE OF BUSINESS UNDER 11 U.S.C. § 363**

COMES NOW, Premier Golf Missouri, LLC, the Debtor and Debtor-in-Possession herein (the “Debtor”), and files this Motion to approve the sale of certain real property other than in the ordinary course of business in accordance with 11 U.S.C. § 363(b)(1) and Fed. R. Bankr. P. 6004. In support of its Motion, the Debtor states as follows:

1. On September 17, 2009, Debtor filed its Petition for relief under Chapter 11 of the United States Bankruptcy Code.
2. Debtor is in the business of owning and operating a golf course with related amenities known as the Staley Farms Golf Club. Debtor has continued in possession of its assets and continues to operate its business.
3. Debtor filed a Motion on November 13, 2009 to approve certain bidding procedures for the sale of a parcel of undeveloped real property encompassing approximately 38.2 acres located in Clay County, Missouri, and referred to by the Debtor as the “Phase III Property” (hereinafter the “Property”).
4. On November 20, 2009, the Court authorized Debtor to market the Property through the bidding procedures with the approved bidding procedures attached hereto as Exhibit “A” (the “Bidding Procedures”).

5. The Bidding Procedures provides for an auction sale of the Property to be held on December 8, 2009 for bidders who meet certain requirements and become “qualified bidders”. Under the Bidding Procedures the minimum bid is \$1,000,000.00, and pursuant to the Bidding Procedures the “successful bidder” and the “backup bidder” will enter into a Real Estate Sale Contract for the purchase of the Property. The form Real Estate Sale Contracts for the successful bidder and the backup bidder are attached to the Bidding Procedures as Exhibits “1” and “2” (the “Sale Contracts”).

6. Pursuant to Section 363 of the Bankruptcy Code the Property would be sold free of all liens, claims and other interests with any such liens, claims and other interests attaching to the proceeds of the sale.

7. Debtor believes that going forward with the sale of the Property pursuant to the Bidding Procedures is in the best interest of Debtor’s estate and its creditors.

WHEREFORE, Debtor respectfully requests this Court enter an order at the conclusion of the auction sale permitting Debtor to sell the Property free and clear of all liens, claims and other interests pursuant to the terms of the Sale Contracts, and provide Debtor with such other and further relief as the Court deems just and proper.

Respectfully submitted,

DUNN & DAVISON, LLC

s/ Thomas G. Stoll

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ATTORNEYS FOR DEBTOR

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing was, on this 23rd day of November, 2009, filed and served electronically by the Clerk of the Court to all parties receiving electronic notice and by U.S. Mail, postage prepaid, to all creditors.

s/ Thomas G. Stoll
Thomas G. Stoll